

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

iSun, Inc., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-11144 (TMH)

(Jointly Administered)

NOTICE OF AMENDED<sup>2</sup>AGENDA OF MATTERS SCHEDULED FOR HEARING ON  
JUNE 28, 2024, AT 1:00 PM (ET)

THIS PROCEEDING WILL BE CONDUCTED REMOTELY VIA ZOOM.

PLEASE REFER TO JUDGE HORAN'S CHAMBERS PROCEDURES AND THE COURT'S WEBSITE ([HTTP://WWW.DEB.USCOURTS.GOV/ECOURT-APPEARANCES](http://www.deb.uscourts.gov/ecourt-appearances)) FOR INFORMATION ON THE METHOD OF ALLOWED PARTICIPATION (VIDEO OR AUDIO), JUDGE HORAN'S EXPECTATIONS OF REMOTE PARTICIPANTS, AND THE ADVANCE REGISTRATION REQUIREMENTS

REGISTRATION IS REQUIRED BY 4:00 P.M. (ET) THE BUSINESS DAY PRIOR TO THE HEARING USING THE *ECOURT APPEARANCES* TOOL AVAILABLE ON THE COURT'S WEBSITE

MATTERS SUBMITTED UNDER CERTIFICATION OF COUNSEL:

1. Debtors' Motion For Entry Of Interim and Final Orders (I) Authorizing The Debtors To (A) Pay Certain Employee Compensation and Benefits, and (B) Maintain and Continue Such Benefits and Other Employee-Related Programs and (II) Granting Related Relief [[D.I. 6](#); Filed June 3, 2024].

Related Documents:

- A. Interim Order (I) Authorizing Debtors To (A) Pay Certain Employee Compensation and Benefits, (B) Maintain And Continue Such Benefits And

<sup>1</sup> The Debtors in these Chapter 11 cases, along with the last four (4) digits of their federal tax identification numbers, are: (i) iSun, Inc. ("[iSun](#)") (0172) (ii) Hudson Solar Service, LLC ("[Hudson](#)") (1635); (iii) Hudson Valley Clean Energy, Inc. ("[Hudson Valley](#)") (8214); (iv) iSun Corporate, LLC ("[iSun Corporate](#)") (4391); (v) iSun Energy, LLC ("[iSun Energy](#)") (1676); (vi) iSun Industrial, LLC ("[iSun Industrial](#)") (4333); (vii) iSun Residential, Inc. ("[iSun Residential](#)") (3525); (viii) iSun Utility, LLC ("[iSun Utility](#)") (4411); (ix) Liberty Electric, Inc. ("[Liberty](#)") (8485); (x) Peck Electric Co. ("[Peck](#)") (5229); (xi) SolarCommunities, Inc. ("[SolarCommunities](#)") (7316); and (xii) Sun CSA 36, LLC ("[Sun CSA](#)") (7316); (collectively referred to as the "[Debtors](#)"). The Debtors' mailing address is: 400 Avenue D, Suite 10 Williston, Vermont 05495, with copies to Gellert Seitz Busenkell & Brown LLC, Attn: Michael Busenkell, 1201 N. Orange Street, Suite 300, Wilmington, DE 19801.

<sup>2</sup> Amended items appear in **bold**.

Other Employee-Related Programs, And (II) Granting Related Relief [[D.I. 42](#); Entered June 6, 2024].

- B. Omnibus Notice of Hearing With Respect to Final Approval of The First Day Motions [[D.I. 62](#); Filed June 7, 2024].
- C. Certification of Counsel Regarding Final Orders for Certain First Day Motions [[D.I. 107](#); Filed June 25, 2024].
- D. Final Order (I) Authorizing The Debtors To (A) Pay Certain Employee Compensation and Benefits, and (B) Maintain and Continue Such Benefits and Other Employee-Related Programs and (II) Granting Related Relief [[D.I. 116](#); Entered June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

Status: An order was entered on June 26, 2024. This matter is not going forward.

- 2. Debtors' Motion For Entry Of Interim and Final Orders (I) Authorizing Continued Use Of Cash Management System, (II) Authorizing Use Of Prepetition Bank Accounts and Certain Payment Methods, and (III) Waiving The Requirements Of 11 U.S.C. § 345(b) [[D.I. 7](#); Filed June 3, 2024].

Related Documents:

- A. Certification of Counsel Regarding Debtors' Motion For Entry Of Interim and Final Orders (I) Authorizing Continued Use Of Cash Management System, (II) Authorizing Use Of Prepetition Bank Accounts and Certain Payment Methods, and (III) Waiving The Requirements Of 11 U.S.C. § 345(b) [[D.I. 52](#); Filed June 6, 2024].
- B. Interim Order (I) Authorizing Continued Use of Cash Management System, (II) Authorizing Use Of Prepetition Bank Accounts And Certain Payment Methods, And (III) Waiving The Requirements Of 11 U.S.C. 345(b) [[D.I. 53](#); Entered June 6, 2024].
- C. Omnibus Notice of Hearing With Respect to Final Approval of The First Day Motions [[D.I. 62](#); Filed June 7, 2024].
- D. Certification of Counsel Regarding Debtors' Motion For Entry Of Interim and Final Orders (I) Authorizing Continued Use Of Cash Management

System, (II) Authorizing Use Of Prepetition Bank Accounts and Certain Payment Methods, and (III) Waiving The Requirements Of 11 U.S.C. § 345(b) [[D.I. 124](#); Filed June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

- A. Limited Objection and Reservation of Rights of Merchants National Bonding Company, Inc. and Great Midwest Insurance Company to Debtors' Motion to Obtain Post-Petition Financing and Authorizing the Use of Cash Collateral [Dkt. No. 14] and Debtors' Cash Management Motion [Dkt. No. 7] [[D.I. 33](#); Filed June 5, 2024].

Status: A certification of counsel was filed. A hearing is not necessary unless the Court has questions or concerns.

- 3. Debtors' Motion For Interim and Final Orders (I) Prohibiting Utility Companies From Discontinuing, Altering, Or Refusing Service, (II) Deeming Utility Companies To Have Adequate Assurance Of Payment, and (III) Establishing Procedures For Resolving Requests For Additional Assurance Pursuant To 11 U.S.C. §§ 105 and 366 [[D.I.8](#); Filed June 3, 2024].

Related Documents:

- A. Interim Order Granting Debtors' Motion For Interim And Final Orders (I) Prohibiting Utility Companies From Discontinuing, Alerting, Or Refusing Service, (II) Deeming Utility Companies To Have Adequate Assurance Of Payment, And (III) Establishing Procedures For Resolving Requests For Additional Assurance Pursuant To 11 U.S.C. §§ 105 And 366 [[D.I. 44](#); Entered June 6, 2024].
- B. Omnibus Notice of Hearing With Respect to Final Approval of The First Day Motions [[D.I. 62](#); Filed June 7, 2024].
- C. Certification of Counsel Regarding Final Orders for Certain First Day Motions [[D.I. 107](#); Filed June 25, 2024].
- D. Final Order (I) Prohibiting Utility Companies From Discontinuing, Altering, Or Refusing Service, (II) Deeming Utility Companies To Have Adequate Assurance Of Payment, and (III) Establishing Procedures For Resolving Requests For Additional Assurance Pursuant To 11 U.S.C. §§ 105 and 366 [[D.I. 117](#); Entered on June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

Status: An order was entered on June 26, 2024. This matter is not going forward.

4. Debtors' Motion For Interim and Final Orders (I) Authorizing, But Not Directing, Payment Of Prepetition Sales, Use, Property and Similar Taxes and Fees and (II) Authorizing Banks and Other Financial Institutions To Receive, Process, Honor, and Pay Checks Issued and Electronic Payment Requests Made Relating To The Foregoing [[D.I. 9](#); Filed June 3, 2024].

Related Documents:

- A. Interim Order (I) Authorizing, But Not Directing, Payment Of Prepetition Sales, Use, Property, And Similar Taxes And Fees And (II) Authorizing Banks And Other Financial Institutions To Receive, Process, Honor, And Pay Checks Issued And Electronic Payment Requests Made Relating To The Foregoing [[D.I. 39](#); Entered June 6, 2024].
- B. Omnibus Notice of Hearing With Respect to Final Approval of The First Day Motions [[D.I. 62](#); Filed June 7, 2024].
- C. Certification of Counsel Regarding Final Orders for Certain First Day Motions [[D.I. 107](#); Filed June 25, 2024].
- D. Final Order (I) Authorizing, But Not Directing, Payment Of Prepetition Sales, Use, Property and Similar Taxes and Fees and (II) Authorizing Banks and Other Financial Institutions To Receive, Process, Honor, and Pay Checks Issued and Electronic Payment Requests Made Relating To The Foregoing [[D.I. 118](#); Entered June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

Status: An order was entered on June 26, 2024. This matter is not going forward.

5. Debtors' Motion For Entry Of Interim and Final Orders Authorizing The Debtors To (I) Maintain, Continue, and Renew Its Property, Liability and Other Insurance Policies and Agreements, and (II) Honor All Obligations In Respect Thereof [[D.I. 10](#); Filed June 3, 2024].

Related Documents:

- A. Interim Order Authorizing Debtors To (I) Maintain Existing Insurance Policies And Pay All Insurance Obligations Arising Thereunder, And (II) To Renew, Revise, Extend, Supplement, Change Or Enter Into New Insurance Policies [[D.I. 45](#); Entered June 6, 2024].
- B. Omnibus Notice of Hearing With Respect to Final Approval of The First Day Motions [[D.I. 62](#); Filed June 7, 2024].
- C. Certification of Counsel Regarding Final Orders for Certain First Day Motions [[D.I. 107](#); Filed June 25, 2024].
- D. Final Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364, 1107 and 1108 and Fed. R. Bankr. P. 6003 Authorizing Debtors to (I) Maintain Existing Insurance Policies and Pay All Insurance Obligations Arising Thereunder, and (II) to Renew, Revise, Extend, Supplement, Change or Enter Into New Insurance Policies [[D.I. 119](#); Entered June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

Status: An order was entered on June 26, 2024. This matter is not going forward.

- 6. Debtor's Motion For Entry Of Interim and Final Orders (I) Authorizing Debtor To Pay Prepetition Claims Of Critical Vendors and (II) Granting Related Relief [[D.I. 11](#); Filed June 3, 2024].

Related Documents:

- A. Interim Order (I) Authorizing Debtor To Pay Prepetition Claims Of Critical Vendors And (II) Granting Related Relief [[D.I. 46](#); Entered June 6, 2024].
- B. Omnibus Notice of Hearing With Respect to Final Approval of The First Day Motions [[D.I. 62](#); Filed June 7, 2024].
- C. Certification of Counsel Regarding Final Orders for Certain First Day Motions [[D.I. 107](#); Filed June 25, 2024].
- D. Final Order (I) Authorizing Debtors to Pay Prepetition Claims of Critical Vendors and (II) Granting Related Relief [[D.I. 120](#); Entered June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 24, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

Status: An order was entered on June 26, 2024. This matter is not going forward.

7. Debtors' Motion For Interim and Final Orders (I) Authorizing Payment Of Certain Prepetition Shipping, Warehousing, Delivery, and Customs Charges, and (II) Authorizing Banks To Honor All Related Checks and Electronic Payment Request [[D.I. 12](#); Filed June 3, 2024].

Related Documents:

- A. Interim Order(I) Authorizing Payment Of Certain Prepetition Shipping Charges And (II) Authorizing Banks To Honor All Related Checks And Electronic Payment Requests [[D.I. 41](#); Entered June 6, 2024].
- B. Omnibus Notice of Hearing With Respect to Final Approval of The First Day Motions [[D.I. 62](#); Filed June 7, 2024].
- C. Certification of Counsel Regarding Final Orders for Certain First Day Motions [[D.I. 107](#); Filed June 25, 2024].
- D. Final Order (I) Authorizing Payment Of Certain Prepetition Shipping, Warehousing, Delivery, and Customs Charges, and (II) Authorizing Banks To Honor All Related Checks and Electronic Payment Requests [[D.I. 121](#); Entered June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

Status: An order was entered on June 26, 2024. This matter is not going forward.

8. Debtors' Motion For Entry of an Administrative Order Establishing Procedures For Interim Compensation and Reimbursement Of Expenses Of Professionals [[D.I. 51](#); Filed June 6, 2024].

Related Documents:

- A. Certification of Counsel Regarding Debtors' Motion For Entry of an Administrative Order Establishing Procedures For Interim Compensation

and Reimbursement Of Expenses Of Professionals [[D.I. 109](#); Filed June 25, 2024].

**B. Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [[D.I. 122](#); Entered June 26, 2024].**

Objection/Response Deadline: June 20, 2024 at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

**Status**: An order was entered on June 26, 2024. This matter is not going forward.

9. Motion Of Debtors For Entry Of An Order (I) Authorizing Debtors' Retention And Payment Of Professionals Utilized In The Ordinary Course Of Business Pursuant To 11 U.S.C. § 327(B); And (II) Granting Related Relief [[D.I. 64](#); Filed June 7, 2024].

Related Documents:

A. Certification of Counsel Regarding Motion Of Debtors For Entry Of An Order (I) Authorizing Debtors' Retention And Payment Of Professionals Utilized In The Ordinary Course Of Business Pursuant To 11 U.S.C. § 327(B); And (II) Granting Related Relief [[D.I. 110](#); Filed June 25, 2024].

**B. Order (I) Authorizing Debtors Retention And Payment Of Professionals Utilized In The Ordinary Course Of Business Pursuant To 11 U.S.C. § 327(b); And (II) Granting Related Relief [[D.I. 123](#); Entered June 26, 2024].**

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

**Status**: An order was entered on June 26, 2024. This matter is not going forward.

10. Debtors' Application for Retention of Gellert Seitz Busenkell & Brown, LLC as Counsel to the Debtors and Debtors-in-Possession Pursuant to Sections 327(a), 328, 330, 331 and 1107(b) of the Bankruptcy Code Nunc Pro Tunc to June 3, 2024f [[D.I. 50](#); Filed June 6, 2024].

Related Documents:

- A. Certification of Counsel Regarding Debtors' Application for Retention of Gellert Seitz Busenkell & Brown, LLC as Counsel to the Debtors and Debtors-in-Possession Pursuant to Sections 327(a), 328, 330, 331 and 1107(b) of the Bankruptcy Code Nunc Pro Tunc to June 3, 2024 [[D.I. 112](#); Filed June 26, 2024].

Objection/Response Deadline: June 20, 2024 at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee.

Status: A certification of counsel was filed. A hearing is not necessary unless the Court has questions or concerns.

- 11. Debtors' Motion For Entry of an Order Pursuant to Fed. R. Bankr. P. 1007(C) Extending The Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs [[D.I. 59](#); Filed June 7, 2024].

Related Documents:

- A. Certification of Counsel Regarding Debtors' Motion For Entry of an Order Pursuant to Fed. R. Bankr. P. 1007(C) Extending The Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs [[D.I. 113](#); Filed June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee.

Status: A certification of counsel was filed. A hearing is not necessary unless the Court has questions or concerns.

- 12. Application of Debtors For an Order Authorizing and Approving The Employment of Novo Advisors, LLC as Chief Restructuring Officer For Debtors Nunc Pro Tunc To The Petition Date, [[D.I. 60](#); Filed June 7, 2024].

Related Documents:

- A. Supplemental Declaration of Rob Vanderbeek In Support of Application Of Debtors For an Order Authorizing and Approving The Employment of Novo Advisors, LLC as Chief Restructuring Officer For Debtors Nunc Pro Tunc to The Petition Date [[D.I. 106](#); Filed June 25, 2024].



**B. Certification of Counsel Regarding Application of Debtors for an Order Authorizing and Approving the Employment of Novo Advisors, LLC as Chief Restructuring Officer for Debtors Nunc Pro Tunc to the Petition Date [\[D.I. 126\]](#); Filed June 26, 2024].**

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 24, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

**Status: A certification of counsel was filed. A hearing is not necessary unless the Court has questions or concerns.**

13. Debtor's Application For Entry of an Order: (I) Authorizing Debtors To Employ and Retain England Securities, LLC as Financial Advisor and Investment Banker To The Debtors Nunc Pro Tunc To The Petition Date, (II) Approving The Terms of The Engagement Agreement, (III) Modifying Certain Time-Keeping Requirements, and (IV) Granting Related Relief [\[D.I. 61\]](#); Filed June 7, 2024].

Related Documents:

- A. Supplemental Declaration Of Richard F. NeJame In Support Of Debtors Application For Entry Of An Order: (I) Authorizing Debtors To Employ And Retain England Securities, LLC As Financial Advisor And Investment Banker To The Debtors Nunc Pro Tunc To The Petition Date, (II) Approving The Terms Of The Engagement Agreement, (III) Modifying Certain Time-Keeping Requirements, And (IV) Granting Related Relief [\[D.I. 94\]](#); Filed June 20, 2024].

- B. Certification of Counsel Regarding Debtor's Application for Entry of an Order: (I) Authorizing Debtors to Employ and Retain England Securities, LLC as Financial Advisor and Investment Banker to the Debtors Nunc Pro Tunc to the Petition Date, (II) Approving the Terms of the Engagement Agreement, (III) Modifying Certain Time-Keeping Requirements, and (IV) Granting Related Relief [\[D.I. 127\]](#); Filed June 26, 2024].**

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee and the Official Committee of Unsecured Creditors.

**Status: A certification of counsel was filed. A hearing is not necessary unless the Court has questions or concerns.**

**MATTERS GOING FORWARD:**

14. Debtors' Motion For Entry Of Interim and Final Orders Authorizing The Debtors To Obtain Postpetition Financing, Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection To Certain Prepetition Secured Credit Parties, (IV) Modifying The Automatic Stay, (V) Authorizing The Debtors To Enter Into Agreements With Clean Royalties, LLC, (VI) Authorizing Non- Consensual Use Of Cash Collateral, (VII) Scheduling A Final Hearing, and (VIII) Granting Related Relief [[D.I. 14](#); Filed June 3, 2024].

**Related Documents:**

- A. Notice of Filing Executed DIP Term Sheet [[D.I. 30](#); Filed June 5, 2024].
- B. Notice of Filing Declaration Of Richard F. NeJame In Support Of Debtors Motion For Entry Of Interim And Final Orders (I) Authorizing The Debtors To Obtain Postpetition Financing, (II) Granting Security Interests And Superpriority Administrative Expense Status, (III) Granting Adequate Protection To Certain Prepetition Secured Credit Parties, (IV) Modifying The Automatic Stay, (V) Authorizing The Debtors To Enter Into Agreements With Clean Royalties, LLC, (VI) Authorizing Non- Consensual Use Of Cash Collateral, (VII) Scheduling A Final Hearing, And (VIII) Granting Related Relief [[D.I. 34](#); Filed June 5, 2024].
- C. Certification of Counsel Regarding Debtors' Motion For Entry Of Interim and Final Orders Authorizing The Debtors To Obtain Postpetition Financing, Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection To Certain Prepetition Secured Credit Parties, (IV) Modifying The Automatic Stay, (V) Authorizing The Debtors To Enter Into Agreements With Clean Royalties, LLC, (VI) Authorizing Non-Consensual Use Of Cash Collateral, (VII) Scheduling A Final Hearing, and (VIII) Granting Related Relief [[D.I. 48](#); Filed June 6, 2024].
- D. Interim Order Pursuant To 11 U.S.C. §§ 105, 361, 362, 363, 364 And 507 (I) Authorizing The Debtors To Obtain Postpetition Financing; (II) Granting Liens And Superpriority Administrative Expense Claims; (III) Authorizing The Use Of Cash Collateral; (IV) Granting Adequate Protection To Prepetition Secured Parties; (V) Modifying The Automatic Stay; (VI) Scheduling Final Hearing; And (VII) Granting Related Relief [[D.I. 49](#); Entered June 6, 2024].
- E. Omnibus Notice of Hearing With Respect to Final Approval of The First Day Motions [[D.I. 62](#); Filed June 7, 2024].

- F. Notice of Debtors' Intent to Offer Witness Testimony and Exhibits at the Hearing Scheduled for June 28, 2024 at 1:00 pm (ET) [[D.I. 115](#); Filed June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors.

Responses Received: Informal comments from the U.S. Trustee

- G. Limited Objection and Reservation of Rights of Merchants National Bonding Company, Inc. and Great Midwest Insurance Company to Debtors' Motion to Obtain Post-Petition Financing and Authorizing the Use of Cash Collateral [Dkt. No. 14] and Debtors' Cash Management Motion [Dkt. No. 7] [[D.I. 33](#); Filed June 5, 2024].

- H. Objection Of Cedar Advance, LLC To Debtors' Use Of Cash Collateral [[D.I. 97](#); Filed June 21, 2024].

- I. [SEALED] Objection of The Official Committee of Unsecured Creditors to The Debtors' (I) Dip Motion and (II) Sale Procedures Motion [D.I. 108; Filed June 26, 2024].

Status: This matter is going forward.

15. Debtors' Motion For Entry Of Orders (A) (I) Approving Bid Procedures In Connection With The Sale Of Substantially All Of The Debtors' Assets, (II) Scheduling An Auction And A Sale Hearing, (III) Approving The Form And Manner Of Notice Thereof, (IV) Authorizing The Debtors To Enter Into The Stalking Horse Agreement, (V) Approving Procedures For The Assumption And Assignment Of Contracts And Leases, And (VI) Granting Related Relief; And (B) (I) Approving The Purchase Agreement; (II) Approving The Sale Of Substantially All Of The Debtors' Assets Free And Clear; (III) Approving The Assumption And Assignment Of Contracts And Leases; And (IV) Granting Related Relief [[D.I. 65](#); Filed June 7, 2024].

Related Documents:

- A. Notice of Debtors' Intent to Offer Witness Testimony and Exhibits at the Hearing Scheduled for June 28, 2024 at 1:00 pm (ET) [[D.I. 115](#); Filed June 26, 2024].

Objection/Response Deadline: June 21, 2024, at 4:00 pm (ET). Extended to June 25, 2024, at 5:00 pm (ET) for the Official Committee of Unsecured Creditors and the U.S. Trustee.

Responses Received: Informal comments received from the DIP Lender and Prepetition Lender.

- B. [SEALED] Objection of The Official Committee of Unsecured Creditors to The Debtors' (I) Dip Motion and (II) Sale Procedures Motion [D.I. 108; Filed June 26, 2024].
- C. United States Trustee's Limited Objection and Reservation of Rights to Debtors' Motion for entry of Orders (A) (I) Approving Bid Procedures In Connection With The Sale Of Substantially All Of The Debtors Assets, (II) Scheduling An Auction And A Sale Hearing, (III) Approving The Form And Manner Of Notice Thereof, (IV) Authorizing The Debtors To Enter Into The Stalking Horse Agreement, (V) Approving Procedures For The Assumption And Assignment Of Contracts And Leases, And (VI) Granting Related Relief; And (B) (I) Approving The Purchase Agreement; (II) Approving The Sale Of Substantially All Of The Debtors Assets Free And Clear; (III) Approving The Assumption And Assignment Of Contracts And Leases; And (IV) Granting Related Relief [[D.I. 114](#); Filed June 26, 2024].

Status: This matter is going forward.

Dated: June 27, 2024

GELLERT SEITZ BUSENKELL &  
BROWN, LLC

/s/ Michael Busenkell

Michael Busenkell (DE 3933)

Amy D. Brown (DE 4077)

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*Proposed Counsel to the Debtors and Debtors-  
in-Possession*